

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**ROBERT RATLEFF,**

**Petitioner,**

**v.**

**DEBORAH TIMMERMAN-COOPER,**

**Warden,**

**Respondent.**

**Case No. 2:04-cv-947**

**JUDGE SARGUS**


**MAGISTRATE JUDGE KEMP**

**OPINION AND ORDER**

On June 8, 2005, the Magistrate Judge issued a *Report and Recommendation* recommending that the petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed. On July 12, 2005, final judgment was entered dismissing this case without objections. On August 5, 2005, petitioner's motion for relief from judgment was granted, and final judgment dismissing this action was vacated so that petitioner could file objections to the *Report and Recommendation*. To date, petitioner has not filed any objections to the Magistrate Judge's *Report and Recommendation*, despite being advised on September 9, 2005, that if he failed to do so within ten days, final judgment dismissing this action would be re-entered. *See* Doc. No. 13. Thus, although the parties were specifically informed of their right to object to the *Report and Recommendation*, and of the consequences of their failure to do so, there has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* again is hereby **ADOPTED AND AFFIRMED**. This case is **DISMISSED**. The Clerk is **DIRECTED** to enter final judgment dismissing this action.

**IT IS SO ORDERED.**

 10-11-2005  
EDMUND A. SARGUS, JR.  
United States District Judge